

B. Remarks

The claims are 1-90, with claims 1, 27, 46, 48, 74, and 90 being independent. Claims 27-90 have been withdrawn from consideration as being directed to non-elected subject matter. Reconsideration of the claims that are under examination is expressly requested.

Claims 1-6, 16, 18, and 19 stand rejected under 35 U.S.C. § 103(a) as being allegedly obvious from JPA 8-323872 (Kino) in view of U.S. Patent No. 4,302,499 (Grisch). Claims 8-10 stand rejected under 35 U.S.C. § 103(a) as being allegedly obvious from Kino in view of Grisch and U.S. Patent Application Publication No. 2003/0143373 A1 (Bledsoe). Claims 11-15, 17, and 20-24 stand rejected under 35 U.S.C. § 103(a) as being allegedly obvious from Kino in view of Grisch and U.S. Patent Application Publication No. 2004/0023012 A1 (Kia). Lastly, claim 7 stands rejected under 35 U.S.C. § 103(a) as being allegedly obvious from Kino in view of Grisch and U.S. Patent No. 4,261,330 (Reinisch). The grounds of rejection are respectfully traversed.

Applicants do not believe that it is necessary to repeat in full the discussion of the recitations of claim 1, or of the Kino and Grisch documents. After a further careful study of the prior art in light of the outstanding Office Action, however, Applicants believe that the Examiner may have misapprehended an important point in Kino.

From the discussion of the rejection of claim 1 in the Office Action, and from the Examiner's reply to Applicant's previous arguments, it appears to Applicants that the Examiner's proposed modification of the Kino laminate structure in light of Grisch is to apply a veil like that of Grisch to the exposed surface of layer 26 of the Kino laminate

structure. The reasons advanced by the Examiner for doing so include (1) doing so would improve resistance to corrosion, (2) doing so create a barrier on the surface that would hold the reinforcing fibers (of layer 26), (3) doing so would constitute the application of a known technique to obtain the expected result of holding the reinforcing fibers together and (4) doing so would reduce the roughness and porosity of the surface, improving appearance and the ease of cleaning the surface.¹ In setting out item (4), the Examiner points out that “[i]n producing articles which may be used as bathtubs, it is submitted that the benefits of a smooth, corrosion resistant surface would have been obvious.”

It appears to Applicants from the explanations in the Office Action that the Examiner understands layer 26 of the Kino laminate structure as being the one which, in use (as a bathtub, for instance), is possibly exposed to corrosion, and which the occupant of the house would clean periodically. Applicants submit, however, that this is not correct. Applicants note that Kino refers to layer 26 as being the exterior or outermost layer, but believe that this is clearly a reference to the location of that layer when the laminate structure is on the mold or die K, and is not a statement that layer 26 is the exterior surface of the bathtub. If layer 26 were in fact the surface of the bathtub that is going to be used, touched and cleaned, then Applicants might well agree that it would be a reasonable and perhaps obvious improvement to make that surface more resistant to corrosion, better-looking, and easier to clean; but if that were the case, then Applicants submit that there would be no apparent use in providing the gel coat layer 21, since that layer would apparently be on the surface *hidden* from view, where neither its smooth appearance nor

^{1/} Points (1) - (3) are set out at page 3 of the Office Action, and point (4), at page 11.

the resulting ease of cleaning that it might provide would be of any avail. Applicants believe it is plain that Kino teaches that his laminate structure is installed such that the gel coat layer 21 is what is seen, etc., by the occupant of the bathroom, and that layer 26 - indeed, the exterior layer of the laminate structure as that structure is being manufactured - is in fact hidden from view in use. If that is so, Applicants submit that there would have been no reason for one of ordinary skill to have considered applying a veil layer on layer 26, proceeding only from the teachings of the prior art.

Bledsoe, Kia, and Reinisch cannot cure the deficiencies of Kino and Grisch. None of these documents discloses or suggests applying a light facing veil onto the second laminate layer as is presently claimed.

In sum, Applicants respectfully submit that the cited references, whether considered separately or in any combination, do not disclose or suggest all of the presently claimed features. Thus, withdrawal of the outstanding rejections and expedient passage of the application to issue are respectfully requested.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

/Leonard P Diana/

Leonard P. Diana
Attorney for Applicants
Registration No. 29,296

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

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